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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/695,989 | 10/30/2003 | Hea-Sun Park | P3054/KANG | 5663 |

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EXAMINER

DUNHAM, JASON B

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3625

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/695,989 | PARK, HEA-SUN | |
| | Examiner | Art Unit | |
| | Jason B. Dunham | 3625 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7 and 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's amendments to the claims on May 24, 2006 are noted, claims 1-6 have been canceled and claims 7-8 have been added. Applicant's replacement drawings and amendments to the specification filed on May 24, 2006 are further noted.

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this applicant, see attached draftman's drawing review. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Objections

Claims 7 and 8 are objected to because of the following informalities: improper use of past and present tenses such as "the user accessing the password with the consultant ID by clicking" and improper use of singular and plural nouns such as "displaying iconized symbol of password pictures". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 7 recites the limitation "by the accessing the password with the consultant ID" in paragraph 5. There is insufficient antecedent basis for this limitation in the claim as the consultant ID was never previously identified.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 7-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Bae (U.S. Patent No. 6,801,619).

Referring to claim 7. Bae discloses a remote control system consisting of a consultant's computer for a subject of control, a user's computer for an object of control and a relay server for relaying control procedure, the control system using webs and icons for remotely controlling the user's computer comprising:

- An authentication database for managing connecting information of said consultant's computer and said user's computer through said relay server (Bae: column 6, lines 15-49);

- A web page displayed on the user's computer screen for inducing a connection of said user's computer (Bae: abstract);
- A consultant authentication means for requesting a consultant authentication by transmitting consultant information including an IP address and a service port of said consultant's computer, and connecting to the user's computer through the relay server by a packet switching method (Bae: column 6, lines 15-27 & column 10, lines 35-43);
- Said consultant authentication means consisting of a storing means for storing said consultant information in said authentication database, an informing means for receiving a password being created by the relay server at the consultant's computer, and an activating means for activating icons on the web page by accessing the password with the consultant ID (Bae: column 6, lines 15-27 & column 10, lines 35-43).
- An instructing means for instructing a usage of the web page and the password to the user (Bae: column 4, lines 18-25);
- An icon activating means for activating the icon on the web page of the user's computer screen as soon as the consultant informs the password with the consultant ID to the user (Bae: column 7, lines 1-18).
- A user information extracting means for removing the connecting information such as the user's IP address and the consultant ID included in the icon through the relay server, so that the icon on the user's web page is inactive after the user **accesses** the password with the consultant ID by clicking (Bae: column 7, lines

1-18). The examiner notes that Bae discusses connection of the user computer and consultant computer after a consultant has been chosen and the use of visual symbols (Bae: column 4, lines 26-33), or icons, to identify the status of the connection link.

- A user authentication means for authenticating the user to connect the user's computer to the consultant's computer by the relay server, said user authentication means consisting of a password input window producing means for displaying iconized **symbols** of password pictures with an input window on the user's computer screen by the relay server, an accessing means for accessing the password informed by the consultant to the user's computer by clicking, a verifying means for verifying whether the input password is correct or not, and a searching means for matching the consultant ID in the authentication database and deleting the connecting information when the input password is correct (Bae: column 4, lines 26-33 and column 6, lines 15-27); and
- A program viewer displayed on the consultant's computer screen for remotely controlling the user's computer (Bae: column 4, line 66 – column 5, line 10).

Referring to claim 8. Bae further discloses a remote control system wherein the user authentication means **comprises**:

- A generating means for generating a receipt number and informing to the consultant's computer through the relay server (Bae: column 9, lines 31-44 & column 10, lines 36-44). The examiner notes that it is assumed that applicant intends the claim to read as to informing the consultant of the receipt number.

The examiner further notes that Bae discloses generation of signals to confirm or deny parties in the customer-consultant relationship and furthermore, discloses password authentication, wherein it is commonly known in the art to generate a secondary password, or receipt number, to be confirmed by both parties.

- A transmitting means for transmitting the receipt number including a password input picture to the user's computer through the relay server (Bae: column 9, lines 31-44);
- A verifying means for verifying whether the receipt number is correct or not, if the password is correct, the consultant can confirm the receipt number by telephone (Bae: column 6, lines 15-27);
- A confirming means for confirming acceptance of the receipt number by the user when the input receipt number is correct, and storing the status to the relay server (Bae: column 7, lines 1-18 and column 10, lines 36-44).

Response to Arguments

Applicant's arguments filed May 24, 2006 have been fully considered but they are not persuasive.

The Attorney argues that Bae does not disclose, "a user authentication means for authenticating a user...", as recited in claim 7, specifically arguing that Bae does not disclose, "a password input window producing means for displaying iconized symbols of password pictures with an input window on the user's computer screen." The examiner notes that Bae expressly discloses "a user authentication means" (Bae: column 6, lines

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15-27) "including a password producing means for producing an iconized symbol of a password input picture by the relay server" (Bae: column 4, lines 26-33). The examiner notes that the Attorney mistakenly indicated that Bae discloses, "general authenticating procedure for identifying..." in column 6, lines 15-27.

The Attorney further argues that Bae does not disclose an authenticating procedure by noting column 4, lines 26-33 of Bae. The examiner notes that column 6, lines 15-49 and column 10, lines 35-43 of Bae are directed towards authenticating procedures and column 4, lines 26-33 are directed to a "further advantage" of Bae and do not teach away from an authenticating procedure.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., different display positions for the password input window and specific clicking of a mouse) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The attorney further argues that Bae does not disclose, "a user information extracting means...", as recited in claim 7 by noting column 10, lines 3-6 of Bae. The examiner notes the cited columns of Bae as noted under the 102(e) rejection. In response to applicant's argument that the "deleting process will protect the user from the unauthorized usage....", a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in

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order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

The attorney further argues that Bae does not disclose, "a program viewer...", as recited in claim 7. The examiner notes column 4, line 66 through column 5, lines 10 of Bae which discloses in part, "a means for the operator and user to view the same browser information...".

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

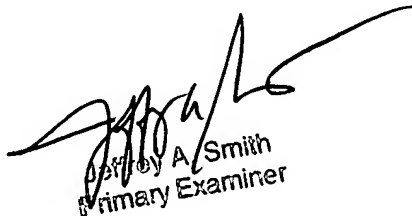
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason B. Dunham whose telephone number is 571-272-8109. The examiner can normally be reached on M-F, 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JBD
Patent Examiner
7/31/06



Jeffrey A. Smith
Primary Examiner